

110TH CONGRESS
2D SESSION

H. R. 6088

To establish a domestic violence volunteer attorney network to represent domestic violence victims.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2008

Mr. CONYERS (for himself and Mr. POE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a domestic violence volunteer attorney network to represent domestic violence victims.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Domestic Vio-
5 lence Volunteer Attorney Network Act”.

6 **SEC. 2. NATIONAL DOMESTIC VIOLENCE VOLUNTEER AT-**
7 **TORNEY NETWORK.**

8 The Violence Against Women Act of 1994 (Public
9 Law 103–322) is amended by adding at the end the fol-
10 lowing:

1 **“Subtitle Q—National Domestic Vi-**
2 **olence Volunteer Attorney Net-**
3 **work**

4 **“SEC. 41701. NATIONAL DOMESTIC VIOLENCE VOLUNTEER**
5 **ATTORNEY NETWORK.**

6 “(a) IN GENERAL.—

7 “(1) GRANTS.—The Attorney General may
8 award grants to the American Bar Association Com-
9 mission on Domestic Violence to work in collabora-
10 tion with the American Bar Association Committee
11 on Pro Bono and Public Service and other organiza-
12 tions to create, recruit lawyers for, and provide
13 training, mentoring, and technical assistance for a
14 National Domestic Violence Volunteer Attorney Net-
15 work.

16 “(2) USE OF FUNDS.—Funds allocated to the
17 American Bar Association’s Commission on Domes-
18 tic Violence under this section shall be used to—

19 “(A) create and maintain a network to
20 field and manage inquiries from volunteer law-
21 yers seeking to represent and assist victims of
22 domestic violence;

23 “(B) solicit lawyers to serve as volunteer
24 lawyers in the network;

1 “(C) retain dedicated staff to support vol-
2 unteer attorneys by—

3 “(i) providing field technical assist-
4 ance inquiries;

5 “(ii) providing on-going mentoring
6 and support;

7 “(iii) collaborating with national do-
8 mestic violence legal technical assistance
9 providers and statewide legal coordinators
10 and local legal services programs; and

11 “(iv) developing legal education and
12 other training materials; and

13 “(D) maintain a point of contact with the
14 statewide legal coordinator in each State re-
15 garding coordination of training, mentoring,
16 and supporting volunteer attorneys representing
17 victims of domestic violence.

18 “(b) AUTHORIZATION.—There are authorized to be
19 appropriated to carry out this section \$2,000,000 for fiscal
20 year 2009 and \$3,000,000 for each of the fiscal years
21 2010 through 2013.

22 “(c) ELIGIBILITY FOR OTHER GRANTS.—A receipt of
23 an award under this section by the Commission on Domes-
24 tic Violence of the American Bar Association shall not pre-
25 clude the Commission from receiving additional grants

1 under the Office on Violence Against Women’s Technical
2 Assistance Program to carry out the purposes of that pro-
3 gram.

4 “(d) OTHER CONDITIONS.—

5 “(1) REQUIRED PARTNERSHIPS.—In developing
6 and implementing the national volunteer attorney
7 network described in this section, the American Bar
8 Association’s Commission on Domestic Violence shall
9 partner, when possible, with 1 or more national do-
10 mestic violence organizations with demonstrated ex-
11 pertise in providing training and technical assistance
12 to a national audience. Any such partner must be
13 fairly compensated for its participation in developing
14 and implementing the network.

15 “(2) STANDARD GRANT CONDITION.—Any
16 award made to the American Bar Association’s
17 Commission on Domestic Violence under this section
18 shall be subject to the Office on Violence Against
19 Women’s standard grant award conditions and re-
20 porting requirements.

21 **“SEC. 41702. DOMESTIC VIOLENCE VOLUNTEER ATTORNEY**
22 **REFERRAL PROGRAM.**

23 “(a) PILOT PROGRAM.—

24 “(1) IN GENERAL.—For fiscal year 2009, the
25 Office on Violence Against Women of the Depart-

1 ment of Justice, in consultation with the Domestic
2 Violence Legal Advisory Task Force, shall designate
3 5 States in which to implement the pilot program of
4 the National Domestic Violence Volunteer Attorney
5 Referral Project and distribute funds under this sub-
6 section.

7 “(2) CRITERIA.—Criteria for selecting the
8 States for the pilot program under this subsection
9 shall include—

10 “(A) equitable distribution between urban
11 and rural areas and equitable geographical dis-
12 tribution;

13 “(B) States that have a demonstrated ca-
14 pacity to coordinate among local and statewide
15 domestic violence organizations;

16 “(C) States that have organizations serv-
17 ing immigrant women; and

18 “(D) States that have volunteer legal serv-
19 ices offices throughout the State.

20 “(3) PURPOSE.—The purpose of the pilot pro-
21 gram under this subsection is to—

22 “(A) provide for a coordinated system of
23 ensuring that domestic violence victims
24 throughout the pilot States have access to safe,
25 culturally, and linguistically appropriate rep-

1 representation in all legal matters arising as a con-
2 sequence of the abuse or violence; and

3 “(B) support statewide legal coordinators
4 in each pilot State to manage referrals for vic-
5 tims to attorneys and to train attorneys on re-
6 lated domestic violence issues.

7 “(4) ROLE OF STATEWIDE LEGAL COORDI-
8 NATOR.—A statewide legal coordinator under this
9 subsection shall—

10 “(A) be employed by the State domestic vi-
11 olence coalition, unless the State domestic vio-
12 lence coalition determines that the needs of vic-
13 tims throughout the State would be best served
14 if the coordinator was employed by another
15 statewide organization;

16 “(B) be an attorney in good standing li-
17 censed to practice law in the applicable State;

18 “(C) have or obtain training to gain exper-
19 tise in providing legal assistance to victims of
20 domestic violence;

21 “(D) develop and maintain an updated
22 database of attorneys throughout the State, in-
23 cluding—

24 “(i) legal services programs;

25 “(ii) volunteer programs;

1 “(iii) organizations serving immigrant
2 women;

3 “(iv) law school clinical programs;

4 “(v) bar associations;

5 “(vi) attorneys in the National Do-
6 mestic Violence Volunteer Attorney Net-
7 work; and

8 “(vii) local domestic violence pro-
9 grams;

10 “(E) consult and coordinate with existing
11 statewide and local programs including volun-
12 teer representation projects or statewide legal
13 services programs;

14 “(F) provide referrals to victims who are
15 seeking legal representation in matters arising
16 as a consequence of the abuse or violence;

17 “(G) participate in biannual meetings with
18 other pilot program grantees, American Bar As-
19 sociation Commission on Domestic Violence,
20 American Bar Association Committee on Pro
21 Bono and Public Service, and national domestic
22 violence legal technical assistance providers;

23 “(H) receive referrals of victims seeking
24 legal representation from the National Domes-
25 tic Violence Hotline and other sources;

1 “(I) receive and disseminate information
2 regarding volunteer attorneys and training and
3 mentoring opportunities; and

4 “(J) work with the Office on Violence
5 Against Women, the American Bar Association
6 Commission on Domestic Violence, and the Na-
7 tional Domestic Violence Legal Advisory Task
8 Force to assess the effectiveness of the pilot
9 program.

10 “(5) ELIGIBILITY FOR GRANTS.—The Attorney
11 General shall award grants to statewide legal coordi-
12 nators under this subsection for purposes of the
13 pilot program established under paragraph (1).

14 “(6) AUTHORIZATION OF APPROPRIATIONS.—
15 There are authorized to be appropriated \$750,000
16 for fiscal year 2009 to fund at least 1 statewide co-
17 ordinator position and other costs associated with
18 the position in the 5 pilot program States under this
19 subsection.

20 “(7) EVALUATION AND REPORTING.—An entity
21 receiving a grant under this subsection shall submit
22 to the Department of Justice a report detailing the
23 activities taken with the grant funds, including such
24 additional information as the agency shall require.

25 “(b) NATIONAL PROGRAM.—

1 “(1) PURPOSE.—The purpose of the national
2 program under this subsection is to—

3 “(A) provide for a coordinated system of
4 ensuring that domestic violence victims
5 throughout the country have access to safe, cul-
6 turally, and linguistically appropriate represen-
7 tation in legal matters arising as a consequence
8 of the abuse or violence; and

9 “(B) support statewide legal coordinators
10 in each State to coordinate referrals to domestic
11 violence attorneys and to train attorneys on re-
12 lated domestic violence issues, including immi-
13 gration matters.

14 “(2) GRANTS.—The Attorney General shall
15 award grants to States for the purposes set forth in
16 subsection (a) and to support designated statewide
17 legal coordinators under this subsection.

18 “(3) ROLE OF THE STATEWIDE LEGAL COORDI-
19 NATOR.—The statewide legal coordinator under this
20 subsection shall be subject to the requirements and
21 responsibilities provided in subsection (a)(4).

22 “(4) GUIDELINES.—The Office on Violence
23 Against Women, in consultation with the Domestic
24 Violence Legal Advisory Task Force and the results
25 detailed in the Study of Legal Representation of Do-

1 mestic Violence Victims, shall develop guidelines for
 2 the implementation of the national program under
 3 this subsection, based on the effectiveness of the
 4 Pilot Program in improving victims' access to cul-
 5 turally and linguistically appropriate legal represen-
 6 tation in the pilot States.

7 “(5) AUTHORIZATION OF APPROPRIATIONS.—
 8 There are authorized to be appropriated \$8,000,000
 9 for each of the fiscal years 2010 through 2013 to
 10 fund the statewide coordinator position in every
 11 State and other costs associated with the position.

12 “(6) EVALUATION AND REPORTING.—An entity
 13 receiving a grant under this subsection shall submit
 14 to the Department of Justice a report detailing the
 15 activities taken with the grant funds, including such
 16 additional information as the agency shall require.

17 **“SEC. 41703. TECHNICAL ASSISTANCE FOR THE NATIONAL**
 18 **DOMESTIC VIOLENCE VOLUNTEER ATTOR-**
 19 **NEY NETWORK.**

20 “(a) PURPOSES.—The purpose of this section is to
 21 allow—

22 “(1) national domestic violence legal technical
 23 assistance providers to expand their services to pro-
 24 vide training and ongoing technical assistance to vol-

1 unteer attorneys in the National Domestic Violence
2 Volunteer Attorney Network; and

3 “(2) providers of domestic violence law to re-
4 ceive additional funding to train and assist attorneys
5 in the areas of—

6 “(A) custody and child support;

7 “(B) employment;

8 “(C) housing;

9 “(D) immigrant victims’ legal needs (in-
10 cluding immigration, protection order, family
11 and public benefits issues); and

12 “(E) interstate custody and relocation law.

13 “(b) GRANTS.—The Attorney General shall award
14 grants to national domestic violence legal technical assist-
15 ance providers to expand their services to provide training
16 and ongoing technical assistance to volunteer attorneys in
17 the National Domestic Violence Volunteer Attorney Net-
18 work, statewide legal coordinators, the National Domestic
19 Violence Hotline, and Internet-based legal referral organi-
20 zations described in section 1201(i)(1).

21 “(c) ELIGIBILITY FOR OTHER GRANTS.—A receipt of
22 an award under this section shall not preclude the national
23 domestic violence legal technical assistance providers from
24 receiving additional grants under the Office on Violence

1 Against Women’s Technical Assistance Program to carry
2 out the purposes of that program.

3 “(d) ELIGIBLE ENTITIES.—In this section, an eligi-
4 ble entity is a national domestic violence legal technical
5 assistance provider that—

6 “(1) has expertise on legal issues that arise in
7 cases of victims of domestic violence, dating violence
8 and stalking, including family, immigration, housing,
9 protection order, public benefits, custody, child sup-
10 port, interstate custody and relocation, employment
11 and other civil legal needs of victims; and

12 “(2) has an established record of providing
13 technical assistance and support to lawyers rep-
14 resenting victims of domestic violence.

15 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section
17 \$800,000 for national domestic violence legal technical as-
18 sistance providers for each of the fiscal years 2009
19 through 2013.

20 **“SEC. 41704. NATIONAL DOMESTIC VIOLENCE HOTLINE**
21 **LEGAL REFERRALS.**

22 “(a) LEGAL REFERRALS BY THE NATIONAL DOMES-
23 TIC VIOLENCE HOTLINE.—

24 “(1) IN GENERAL.—The Attorney General may
25 award grants to the National Domestic Violence

1 Hotline (as authorized by section 316 of the Family
2 Violence Prevention and Services Act (42 U.S.C.
3 10416)) to provide information about statewide legal
4 coordinators and legal services.

5 “(2) USE OF FUNDS.—Funds allocated to the
6 National Domestic Violence Hotline under this sub-
7 section shall be used to—

8 “(A) update the Hotline’s technology and
9 systems to reflect legal services and referrals to
10 statewide legal coordinators;

11 “(B) collaborate with the American Bar
12 Association Commission on Domestic Violence
13 and the national domestic violence legal tech-
14 nical assistance providers to train and provide
15 appropriate assistance to the Hotline’s advo-
16 cates on legal services; and

17 “(C) maintain a network of legal services
18 and statewide legal coordinators and collaborate
19 with the American Bar Association Commission
20 on Domestic Violence.

21 “(3) AUTHORIZATION.—There are authorized to
22 be appropriated to carry out this subsection
23 \$500,000 for each of the fiscal years 2009 through
24 2013.

1 “(b) LEGAL REFERRALS BY INTERNET-BASED SERV-
2 ICES FOR DOMESTIC VIOLENCE VICTIMS.—

3 “(1) IN GENERAL.—The Attorney General may
4 award grants to Internet-based non-profit organiza-
5 tions with a demonstrated expertise on domestic vio-
6 lence to provide State-specific information about
7 statewide legal coordinators and legal services
8 through the Internet.

9 “(2) USE OF FUNDS.—Funds allocated to
10 Internet-based organizations under this subsection
11 shall be used to—

12 “(A) collaborate with the American Bar
13 Association Commission on Domestic Violence
14 and the national domestic violence legal tech-
15 nical assistance providers to train and provide
16 appropriate assistance to personnel on referring
17 legal services; and

18 “(B) maintain a network of legal services
19 and statewide legal coordinators, and collabo-
20 rate with the American Bar Association Com-
21 mission on Domestic Violence and the National
22 Domestic Violence Hotline.

23 “(3) AUTHORIZATION.—There are authorized to
24 be appropriated to carry out this subsection

1 \$250,000 for each of the fiscal years 2009 through
2 2013.

3 **“SEC. 41705. STUDY OF LEGAL REPRESENTATION OF DO-**
4 **MESTIC VIOLENCE VICTIMS.**

5 “(a) IN GENERAL.—The National Institute of Jus-
6 tice shall study the scope and quality of legal representa-
7 tion and advocacy for victims of domestic violence, dating
8 violence, and stalking, including the provision of culturally
9 and linguistically appropriate services.

10 “(b) SCOPE OF STUDY.—The National Institute of
11 Justice shall specifically assess the representation and ad-
12 vocacy of—

13 “(1) organizations providing direct legal serv-
14 ices and other support to victims of domestic vio-
15 lence, dating violence, and stalking, including Legal
16 Services Corporation grantees, non-Legal Services
17 Corporation legal services organizations, domestic vi-
18 olence programs receiving Legal Assistance for Vic-
19 tims grants or other funds under this Act to provide
20 legal assistance, volunteer programs (including those
21 operated by bar associations and law firms), law
22 schools which operate domestic violence, and family
23 law clinical programs; and

24 “(2) organizations providing support to direct
25 legal services delivery programs and to their volun-

1 teer attorneys, including State coalitions on domestic
2 violence, the National Legal Aid and Defender Asso-
3 ciation, the American Bar Association Commission
4 on Domestic Violence, the American Bar Association
5 Committee on Pro Bono and Public Service, State
6 bar associations, judicial organizations, and national
7 advocacy organizations (including the Legal Re-
8 source Center on Violence Against Women, and the
9 National Center on Full Faith and Credit).

10 “(c) ASSESSMENT.—The assessment shall, with re-
11 spect to each entity under subsection (b), include—

12 “(1) what kind of legal assistance is provided to
13 victims of domestic violence, such as counseling or
14 representation in court proceedings;

15 “(2) number of lawyers on staff;

16 “(3) how legal services are being administered
17 in a culturally and linguistically appropriate manner,
18 and the number of multilingual advocates;

19 “(4) what type of cases are related to the
20 abuse, such as protective orders, divorce, housing,
21 and child custody matters, and immigration filings;

22 “(5) what referral mechanisms are used to
23 match a lawyer with a domestic violence victim;

1 “(6) what, if any, collaborative partnerships are
2 in place between the legal services program and do-
3 mestic violence agencies;

4 “(7) what existing technical assistance or train-
5 ing on domestic violence and legal skills is provided
6 to attorneys providing legal services to victims of do-
7 mestic violence;

8 “(8) what training or technical assistance for
9 attorneys would improve the provision of legal serv-
10 ices to victims of domestic violence;

11 “(9) how does the organization manage means-
12 testing or income requirements for clients;

13 “(10) what, if any legal support is provided by
14 nonlawyer victim advocates; and

15 “(11) whether they provide support to or spon-
16 sor a pro bono legal program providing legal rep-
17 resentation to victims of domestic violence.

18 “(d) REPORT.—Not later than 1 year after the date
19 of enactment of this title, the National Institute of Justice
20 shall submit to Congress a report on the findings and rec-
21 ommendations of the study required by this section.

22 **“SEC. 41706. ESTABLISH A DOMESTIC VIOLENCE LEGAL AD-**
23 **VISORY TASK FORCE.**

24 “(a) IN GENERAL.—The Attorney General shall es-
25 tablish the Domestic Violence Legal Advisory Task Force

1 to provide guidance for the implementation of the Study
2 of Legal Representation of Domestic Violence Victims
3 under section 41705, the Pilot Program for the National
4 Domestic Violence Volunteer Attorney Referral Project
5 under section 41702(a), and the National Program for the
6 National Domestic Violence Volunteer Attorney Referral
7 Project under section 41702(b).

8 “(b) COMPOSITION.—The Task Force established
9 under this section shall be composed of experts in pro-
10 viding legal assistance to domestic violence victims and de-
11 veloping effective volunteer programs providing legal as-
12 sistance to domestic violence victims, including judges with
13 expertise in domestic violence, individuals with experience
14 representing low-income domestic violence victims, and
15 private bar members involved with volunteer legal services.

16 “(c) RESPONSIBILITIES.—The Task Force shall—

17 “(1) provide ongoing advice to the American
18 Bar Association Commission on Domestic Violence,
19 the National Domestic Violence Hotline, and the
20 Statewide Coordinators regarding implementation of
21 the pilot program under section 41702(a) and the
22 National Program of the Domestic Violence Volun-
23 teen Attorney Referral Project under section
24 41702(b);

1 “(2) provide recommendations to the Office on
2 Violence Against Women regarding the selection of
3 the 5 sites for the pilot program under section
4 41702(a); and

5 “(3) attend regular meetings covered by the
6 American Bar Association Commission on Domestic
7 Violence.

8 “(d) REPORT.—The Task Force shall report to Con-
9 gress every 2 years on its work under this section.

10 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 \$100,000 for each of the fiscal years 2009 through
13 2013.”.

○